

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

RAYMOND SKELTON on behalf of	:	
himself and all other	:	
similarly situated persons,	:	CIV. NO. 19-18597 (RMB)
	:	
Plaintiff	:	
v.	:	ORDER
	:	
NEW JERSEY DEP'T OF CORR.,	:	
<i>et al.</i> ,	:	
	:	
Defendants	:	

For the reasons set forth in the accompanying Opinion,

IT IS on this 30th day of October 2020,

ORDERED that Defendants' motion to dismiss (Dkt. No. 14) is **GRANTED**; Plaintiff's claims against the NJDOC are **DISMISSED** with prejudice as barred by the Eleventh Amendment; Plaintiff's claims against Hicks and Powell in their individual and official capacities are **DISMISSED** without prejudice under Federal Rule of Civil Procedure 12(b)(6) and 42 U.S.C. § 1997e(c)(1) for failure to state Eighth Amendment claims of failure to protect inmate health and failure to provide adequate medical care for prisoners' serious medical needs, failure to state a conspiracy claim under 42 U.S.C. § 1983, and failure to state claims for violation of the Americans with Disabilities Act and Rehabilitation Act; and it is further

ORDERED that Plaintiff is granted leave to file an Amended Complaint within 45 days of the date of entry of this Order.

s/Renée Marie Bumb
RENÉE MARIE BUMB
United States District Judge